

DATE: December 10, 2013

TO: Alex Dambach, Division Chief
Department of Planning and Zoning

FROM: Ann Horowitz, Planner
Department of Planning and Zoning

SUBJECT: Special Use Permit #2013-0089
Administrative Review for Change of Ownership and Minor Amendment
Site Use: General Automotive Repair
Applicant: Sang Nguyen
Location: 600A South Pickett Street
Zone: I / Industrial Zone

Request

Special Use Permit #2013-0089 is a request to change ownership and for minor amendments at an existing general automotive repair establishment located at an industrial complex at 600A South Pickett Street. The change of ownership request transfers the SUP from Samuel Osei to Sang Nguyen. Minor amendments are proposed to increase the hours of operation from 8:30 a.m. to 6:00 p.m. to 8 a.m. to 7:00 p.m. and for slightly revising the schedule for the mandatory five and ten year Special Use Permit review. The new owner plans no additional changes to the business.

Background

The City Council approved Special Use Permit #2013-0022 on June 15, 2013, granting permission to Perfect Auto Detailing to operate an automobile repair establishment specializing in interior and exterior detailing.

SUP #2013-0022 states that the Director of Planning and Zoning shall review the Special Use Permit five years from the date of approval in June 2018 to evaluate the location's redevelopment potential and to assess the compatibility of the use with other adjacent uses. Further, the City Council must review the Special Use Permit ten years from the approval date in June 2023 to evaluate the site's redevelopment potential as well as the establishment's compatibility with other area uses.

The previously-approved general automobile repair use had not opened for business when the applicant submitted the current SUP request. Staff has not received any complaints that would require it to docket the Special Use Permit for public hearing.

Parking

The 5,782 square-foot general automotive repair establishment exceeds the parking requirement of one off-street parking space for every 400 square feet as established in Section 8-200(A)(17). Consistent with prior SUP approval, the applicant will provide a total of 27 off-street parking spaces with 17 spaces outside and up to 10 indoor spaces.

Community Outreach

Public notice was provided through eNews on the City's website and by placing a placard on the site. Notification of the Cameron Station Civic Association resulted in the receipt of comments from two association representatives.

One association member expressed concern for all automotive land uses in the area regarding the test driving of new or repaired automobiles in the residential neighborhood. There was also an inquiry as to the number of parking spaces available at the site.

Staff Action

Staff does not object to the applicant's proposal. The requested change of ownership is reasonable. The minor amendment request to increase the operational hours by a half hour in the mornings and by one hour in the evenings is also reasonable and should not create negative impacts. The change in hours is eligible for minor amendment approval pursuant to Section 11-511(A)(2)(i)(a) of the Zoning Ordinance.

Staff has included a change to the review condition language (Condition #10) that is similar to the applicant's request. As requested, the staff-level review will now occur in five years (December 2018). However, the Planning Commission has indicated that the full-hearing reviews of Special Use Permit approvals within a particular area should occur at the same time to improve coordination and potential future redevelopment. Since the full-hearing reviews for four other recent Special Use Permit approvals will occur in November 2023, staff has amended the condition to require a review one month earlier than the requested December 2023. Staff notes that it was prepared to make this change to Condition #10 regardless of the applicant's requests as part of this application.

In response to inquiries from the Cameron Station Civic Association about parking, staff has obtained from the landlord information regarding all existing and proposed businesses at the site as well as the total number of parking spaces on the property. It has determined that the 202 total parking spaces on the site satisfy the Zoning Ordinance parking requirements for all businesses. Staff has also added Condition #22 in response to the Association's concern regarding automobile test driving in the neighborhood. The new condition restricts the applicant from test driving or diagnosing automobile issues in residentially zoned areas.

Staff has amended Condition #7 to require the screening of any dumpster located outside of the business that is visible from South Pickett Street. Similar condition language was included in an SUP for an adjacent establishment.

Staff hereby approves the Special Use Permit request.

ADMINISTRATIVE ACTION – DEPARTMENT OF PLANNING AND ZONING:

Date: 12/10/2013
Action: Approved

Alex Dambach, Division Chief

Attachments: 1) Special Use Permit Considerations
2) City Department Comments
3) Statement of Consent

CONDITIONS OF SPECIAL USE PERMIT #2013-0089

The new owner is responsible for ensuring that the following conditions are adhered to at all times. Violation of any of the conditions may result in fines and/or referral to public hearing by the Planning Commission and City Council.

1. The Special Use Permit shall be granted to the applicant only or to any business or entity in which the applicant has a controlling interest. (P&Z) (SUP2013-0022)
2. **CONDITION AMENDED BY STAFF:** The hours of operation of the general automobile repair business shall be limited to between ~~8:30 a.m. and 6 p.m.~~ 8 a.m. and 7 p.m. Monday - Saturday. (P&Z) (~~SUP2013-0022~~)
3. The applicant shall post the hours of operation at the entrance of the business. (P&Z) (SUP2013-0022)
4. No repair work, painting, detailing or car washing shall occur outside. All repair, painting, detailing and car washing activities at the site shall be conducted inside a building or structure. (P&Z) (T&ES) (SUP2013-0022)
5. No junked, abandoned, or stripped vehicles shall be displayed, parked, or stored outside. No vehicles shall be parked in a location whereby their damage is readily visible from passing vehicular traffic on South Pickett Street. (P&Z) (SUP2013-0022)
6. No vehicles shall be displayed, parked, or stored in any portion of the public right-of-way. (P&Z) (T&ES) (SUP2013-0022)
7. **CONDITION AMENDED BY STAFF:** No vehicle parts, tires, or other materials shall be permitted to accumulate outside except in a dumpster or other suitable trash receptacle or enclosure. The applicant shall install screening around the dumpster area to shield it from being viewed from South Pickett Street to the satisfaction of the Director of Planning & Zoning. (P&Z) (~~SUP2013-0022~~)
8. Loading and unloading of vehicles, if any, shall take place on-site and during hours of operation. (P&Z) (SUP2013-0022)
9. The applicant shall conduct employee training sessions on an ongoing basis, including as part of any employee orientation, to discuss all SUP provisions and requirements. (P&Z) (SUP2013-0022)
10. **CONDITION AMENDED BY STAFF:** The Special Use Permit shall be reviewed by the Director of Planning & Zoning, with notice to the community, five years from approval (~~June 2018~~) (December 2018) in order to assess the redevelopment potential of the site and the compatibility of the use with other uses in the area. The Director shall docket the Special Use Permit for Planning Commission and City Council review if the Director determines the use to be incompatible with surrounding uses or with anticipated redevelopment. Notwithstanding the staff review, City Council shall review the Special

Use Permit ten years from approval (~~June 2023~~) (November 2023) in order to assess the redevelopment potential of the site and the compatibility of the use with other uses in the area. (P&Z) (~~SUP2013-0022~~)

11. **CONDITION AMENDED BY STAFF:** Car wash facilities must be equipped with a water recycling system. The building official shall approve such a system. Any car washing activity must drain to the sanitary sewer system with prior approval from ~~ASA~~ AlexRenew, or be covered by a VPDES permit for discharge into the storm sewer. (T&ES) (~~SUP2013-00022~~)
12. The applicant shall provide a plan that shows the method of connection for the discharge of vehicle wash to an approved sanitary sewer system and proper disposal of rainwater to the storm sewer system. In case the applicant chooses to install commercial car washing equipment, such equipment shall be equipped with a water recycling system approved by the building official. (T&ES) (SUP2013-0022)
13. The application of paints or coatings shall be prohibited at the site, unless a paint spray booth is designed and built to the satisfaction of the Director of Code Administration. If automotive refinishing is permitted, no materials shall be disposed of by venting to the atmosphere and no paints or coating shall be applied outside of the approved paint spray booth. (T&ES) (SUP2013-0022)
14. All waste products including but not limited to organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP2013-0022)
15. The applicant shall comply with the City of Alexandria Best Management practices manual for automotive related industries. A copy can be obtained by contacting the Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (T&ES) (SUP2013-0022)
16. The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP2013-0022)
17. All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP2013-0022)
18. Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP2013-0022)
19. The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The

applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES) (SUP2013-0022)

20. Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES) (SUP2013-0022)
21. The Director of Planning and Zoning shall review the Special Use Permit after it has been operational for one year, and shall docket the matter for consideration by the Planning Commission and City Council if (a) there have been documented violations of the permit conditions which were not corrected immediately, constitute repeat violations or which create a direct and immediate adverse zoning impact on the surrounding community; (b) the Director has received a request from any person to docket the permit for review as the result of a complaint that rises to the level of a violation of the permit conditions, or (c) the Director has determined that there are problems with the operation of the use and that new or revised conditions are needed. (P&Z) (SUP2013-0022)
22. **CONDITION ADDED BY STAFF:** The applicant shall not use streets in residentially-zoned neighborhoods or streets other than primary or secondary arterial streets in CDD-zoned neighborhoods for test-driving or diagnosing needed vehicle repairs. (P&Z)

CITY DEPARTMENT COMMENTS

Legend: C- code requirement R- recommendation S - suggestion F – finding

Transportation & Environmental Services

- F-1 This parcel is within the RPA, but the building is not. There shall be no outside painting, fumes are to be controlled and no disturbance shall occur within the RPA. (T&ES) (SUP2013-0022)
- F-2 This property and building are located within the 100-yr floodplain. Due to the fact that these improvements do not amount to a "Substantial Improvement" as defined by City ordinance, this project is not subject to the Floodplain District regulations provided in Section 6-300 (FLOODPLAIN DISTRICT) of Article VI (SPECIAL AND OVERLAY ZONES) of the City of Alexandria Zoning Ordinance. However, the owner(s) of this property should be advised that flooding can and does occur at this location up to elevation 86' (City Datum) and to ensure safety the project is advised to comply with Section 6-307 (D) "Water heaters, furnaces, electrical distribution panels and other critical mechanical or electrical installations shall not be installed below the 100-year-flood level. Separate electrical circuits that serve areas below the 100-year-flood level shall be dropped from above." (T&ES) (SUP2013-0022)
- F-3 It is also advised that no food storage or preparation areas be located below the 100-year-flood level (elevation 11'). (T&ES) (SUP2013-0022)
- R-1 The applicant shall require its employees who drive to use off-street parking and/or provide employees who use mass transit with subsidized bus and rail fare media. The applicant shall also post DASH and Metrobus schedules on-site for employees. (T&ES) (SUP2013-0022)
- R-2 The applicant shall comply with the City of Alexandria Best Management Practices Manual for Automotive Related Industries. A copy can be obtained by contacting the Office of Environmental Quality at 703-746-4065 or at <http://alexandriava.gov/Environment> under Forms and Publications. (T&ES) (SUP2013-0022)
- R-3 Car wash facilities must be equipped with a water recycling system. The building official shall approve such a system. Any car washing activity must drain to the sanitary sewer system with prior approval from ASA, or be covered by a VPDES permit for discharge into the storm sewer. (T&ES) (SUP2013-0022)
- R-4 Provide a plan that shows the method of connection for the discharge of vehicle wash to an approved sanitary sewer system and proper disposal of rainwater to the storm sewer system. In case the applicant chooses to install commercial car washing equipment, such equipment shall be equipped with a water recycling system approved by the building official. (T&ES) (SUP2013-0022)

- R-5 The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP2013-0022)
- R-6 All loudspeakers shall be prohibited from the exterior of the building, and no amplified sounds shall be audible at the property line. (T&ES) (SUP2013-0022)
- R-7 All waste products including, but not limited to, organic compounds (solvents), motor oil, compressor lubricant and antifreeze shall be disposed of in accordance with all local, state and federal ordinances or regulations and not be discharged to the sanitary or storm sewers or be discharged onto the ground. (T&ES) (SUP2013-0022)
- R-8 The applicant shall control odors, smoke and any other air pollution from operations at the site and prevent them from leaving the property or becoming a nuisance to neighboring properties, as determined by the Department of Transportation and Environmental Services. (T&ES) (SUP2013-0022)
- R-9 The application of paints or coatings shall be prohibited at the site, unless a paint spray booth is designed and built to the satisfaction of the Director of Code Administration. If automotive refinishing is permitted, no materials shall be disposed of by venting to the atmosphere and no paints or coating shall be applied outside of the approved paint spray booth. (T&ES) (SUP2013-0022)
- R-10 All repairs of motor vehicles shall be conducted inside a building or structure that is approved by the Director of Planning and Zoning. (T&ES) (SUP2013-0022)
- R-11 Supply deliveries, loading, and unloading activities shall not occur between the hours of 11:00pm and 7:00am. (T&ES) (SUP2013-0022)
- R-12 Litter on the site and on public rights-of-way and spaces adjacent to or within 75 feet of the premises shall be picked up at least twice a day and at the close of business, and more often if necessary, to prevent an unsightly or unsanitary accumulation, on each day that the business is open to the public. (T&ES) (SUP2013-0022)
- C-1 Per Section 6-307 Other Conditions, (B):
"All uses, activities and development occurring within any floodplain district shall only be undertaken in strict compliance with the Virginia Uniform Statewide Building Code (VA USBC)." (T&ES) (SUP2013-0022)
- C-2 The applicant shall comply with the City of Alexandria's Noise Control Code, Title 11, Chapter 5, which sets the maximum permissible noise level as measured at the property line. (T&ES) (SUP2013-0022)
- C-3 The applicant shall comply with the City of Alexandria's Solid Waste Control, Title 5,

Chapter 1, which sets forth the requirements for the recycling of materials (Sec. 5-1-99).

In order to comply with this code requirement, the applicant shall provide a completed Recycling Implementation Plan (RIP) Form within 60 days of City Council approval. Contact the City's Recycling Program Coordinator at (703) 746-4410, or via e-mail at commercialrecycling@alexandriava.gov, for information about completing this form. (T&ES) (SUP2013-0022)

Code Enforcement

- F-1 No comments necessary. Code comments from previous SUP2013-0022 as follows:
- F-2 The review by Code Administration is a preliminary review only. Once the applicant has filed for a building permit, code requirements will be based upon the building permit plans. If there are any questions, the applicant may contact Ken Granata, Plan Review Services Division Chief at ken.granata@alexandriava.gov or 703-746-4193.
- C-1 A Certificate of Occupancy shall be obtained prior to any building change of occupancy.
- C-2 Alterations to the existing structure must comply with the current edition of the Uniform Statewide Building Code (USBC).
- C-3 A fire prevention code permit is required for the proposed operation. An egress plan showing fixture location, aisles and exit doors shall be submitted for review with the permit application.
- C-4 Alterations to the existing structure and/or installation and/or altering of equipment therein requires a building permit. Five sets of plans, bearing the signature and seal of a design professional registered in the Commonwealth of Virginia, must accompany the written application. The plans must include all dimensions, construction alterations details, kitchen equipment, electrical, plumbing, and mechanical layouts and schematics.
- C-5 Application of flammable finishes shall comply with Section 416 of the 2009 VCC.
- C- 6 Any increase in occupancy must be supported by the required number of restroom facilities within the structure in accordance with the USBC / International Plumbing Code.

Health

- F-1 No comments received

Police Department

- F-1 No comments received

STATEMENT OF CONSENT

The undersigned hereby agrees and consents to the attached conditions of this Special Use Permit #2013-0089. The undersigned also hereby agrees to obtain all applicable licenses and permits required for the general auto repair establishment at 600A South Pickett Street.

Applicant – Signature

Date

Applicant – Printed

Date